

Serial No. 09/866,680

REMARKS**STATUS OF THE CLAIMS**

In accordance with the foregoing, claims 1, 3-7, 10, 11, 14, 20 and 21 have been amended. The Examiner withdrew claim 21 from consideration; however, in accordance with the foregoing arguments, it is respectfully submitted that the withdrawal was improper and, thus, claim 21 should have been examined on the merits. Claim 21 is so treated, in the following.

Therefore, it is submitted that claims 1-21 are pending and under consideration.

No new matter is being presented and approval of the amended claims is respectfully requested.

REJECTIONS OF CLAIMS 1-20 UNDER 35 U.S.C. §102(b) AS BEING ANTICIPATED BY REILLY ET AL. (U.S. 2002/0026349)

The rejections of claims 1-20 are respectfully traversed and reconsideration is requested.

In accordance with the foregoing, Applicant respectfully submits that claim 21 should have been examined on the merits, and claims 21 is so treated in the following. Therefore, the following arguments distinguishing claims 1-20 over the cited reference are also directed to independent claim 21.

Reilly et al. (hereinafter "Reilly") teaches a system in which workstations remotely located receive, through a communication interface, a subset of an information item. (Abstract) The user of the workstation can choose to subscribe, based on the subset of the information, in which case, the user can view the entire body of the information item. In other words, Reilly discusses first displaying to a user a headline of a news item, for example, and only sending the body when the user desires to subscribe to the news service. (See column 3, paragraph [0035]).

In contrast, amended claim 1, for example, recites "a sending/receiving control part conducting communication via a network with the sending apparatus and the receiving apparatus; and a distribution rank storage part storing a distribution rank selected in advance by the receiver, *before receiving distribution information from the sender*, with respect to the distribution information from the sender, among distribution ranks defining distribution conditions containing designation of a summarization degree of distribution information in a plurality of levels". (Emphasis added).

Therefore, it is respectfully submitted that amended claim 1 patentably distinguishes over Reilly.

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Although the arguments above are directed to amended claim 1, amended independent claims 11, 20 and 21 all recite a distribution rank selected in advance by the receiver, *before receiving distribution information from the sender*. Therefore, it is respectfully submitted that independent claims 11, 20 and 21 also patentably distinguish over Reilly.

Dependent claims 2-10 and 12-19 depend from claims 1 and 11, respectively, and inherit their patentable recitations. Thus, it is respectfully submitted that claims 2-10 and 12-19 patentably distinguish over Reilly.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Further, all pending claims patentably distinguish over the prior art. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Applicant requests an interview to discuss withdrawal of the final rejection as premature under MPEP 706.07(c)-(e), as well as the patentability of all pending claims. The Examiner is requested to contact the undersigned in order to schedule the interview. To the extent that the Examiner agrees with the foregoing arguments for withdrawing the final rejection and the patentability of the pending claims, an interview is unnecessary.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner for Patents,
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on August 29, 2005
By: STAAS & HALSEY
Date: 8/29/05